

SCHOOL BUDGET REVIEW [289]

Adopted and Filed Emergency

Pursuant to the authority of Iowa Code section 257.30, the school budget review committee hereby amends Chapter 1, "Organization," Iowa Administrative Code.

2010 Iowa Acts, HF 2030, effective January 20, 2010, authorizes emergency rulemaking. The Act changes the composition of the committee and makes the director of the department of education a nonvoting member of the committee.

Pursuant to Iowa Code section 17A.4(3), the committee finds that notice and public participation prior to the adoption of these amendments is impracticable, as it is desirable to implement the changes prior to the committee's next scheduled meeting on March 8, which is sooner than the public comment period would conclude.

Pursuant to Iowa Code section 17A.5(2)"b," the committee further finds that the normal effective date of these amendments, 35 days after publication, should be waived and the amendments made effective February 5, 2010. These amendments confer a benefit upon the public and regulated community by changing the composition of the committee so that the director of the department of education, who is designated by statute as the committee chairman, has no vote. Presently, several actions of the committee result in referral to the director for further action; having the director vote on the committee presents the appearance of impropriety.

These amendments are also published herein under Notice of Intended Action as **ARC _____ B** to allow for public comment.

A waiver provision is provided in 289—Chapter 8.

These amendments are intended to implement 2010 Iowa Acts, HF 2030, amending Iowa Code section 257.30.

These amendments will become effective on February 5, 2010.

The following amendments are adopted.

Item 1. Amend subrule **1.1(1)** as follows:

1.1(1) Membership. The SBRC shall be composed of the following ~~five~~ six members:

a. The director of the department of education who shall serve as chairperson and conduct all meetings unless another member of the committee is asked by the director of the department of education to assume this role. The director of the department of education is a nonvoting member of the committee.

b. No change.

c. ~~Three~~ Four public members who are knowledgeable in the areas of school finance or public finance issues shall be appointed by the governor to represent the public. All committee members shall perform their assigned duties until a replacement has been appointed.

d. No change.

Item 2. Amend subrule **1.1(2)** as follows:

1.1(2) Qualifications of public members. The ~~three~~ four public members shall have general knowledge in the areas of Iowa school finance or public finance. At least one of the public members shall possess a master's or doctoral degree in which areas of school finance, economics or statistics are an integral component, or shall have equivalent experience in an executive administrative or senior research position in the education or public administration field.

